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THE TEACHING OF LEGAL BIBLIOGRAPHY

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In the history of legal education the study of the legal bibliography and the use of law books is more ancient than formal teaching of the subject. Since the days when precedent was first firmly seated on the throne of English law, lawyers have bowed down to it, and wise men have admonished the tyro to seek knowledge in the books wherein are set down a multitude of isolated instances of authoritative rulings of the courts. Less homage has been paid to those commands of governments which appear in the form of statutes; altho their superiority over all but a few of the classical treatises is invariably pointed out. A long line of writers beginning with Fulbeck in 1599, and including Coke, Doderidge, Sir Matthew Hale, Phillips and Roger North, have told the student how, when, where, by what method and in what books to seek knowledge. Much that they have said may, however, be summed up in the advice of my Lord Coke to "seek the fountains." But in his day those fountains were few in number and easily recognized. It was at least a reasonable proposal to send the student to a group of books which with diligence might be read thru in a life-time. The identical books referred to were also those which would be relied on in practise. It was humanly possible to become as familiar with them as with a well-thumbed text-book. The study of legal bibliography as such did not need to be separated from the study of the law; for unconsciously every apprentice made his own study and found his own habitual avenue of approach to the fountains.

Precedent still is enthroned, and petere fontes is still good advice, but the fountains have been submerged in an ocean of books. Chart and compass are needed to guide one over the trackless waters to the well-springs now more or less obscured. In phrases now almost stereotyped modern writers complain of the great increase in the number of law books, especially reports. It was the difficulty of providing a sufficient number of copies of these reports to enable students to read the precedents in their original form that led to the compilation of "casebooks." While these selections of cases reprinted to serve as the basis of instruction enabled the so-called case method to reach its present place of pre-eminence in legal education, they do not lead the student to an intimacy with the vast literature with which on graduation he is presumed to be familiar. Even with the case method, it is entirely possible for the honor graduate to be completely at a loss when called upon to find the evidence of the simplest legal truths if it is not contained in the identical books which he has studied. He may be ignorant of the fact that, vast as is the literature which fills our law libraries,

it is more minutely indexed than any other literature of like proportions. The needs of the practitioner have been met by the enterprise of the indexer, the compiler, and the publisher; but the student struggling to master the contents of the few books may pass by the guide posts to the many. He must return to them sooner or later in order to reach the right road, and this he does either at the expense of himself, his employer, or his clients. Lawyers in active practise, even of long standing, either admit that they do not know easily how to extract information from their books, or bewail the fact that they did not learn it earlier in their careers. Law teachers also have said repeatedly in print and from the platform that a knowledge of legal bibliography is an essential part of the education of a lawyer. It is an obvious corollary of King George the Third's reputed remark that lawyers do not know so much more law than other people, but they know better where to find it. And yet the history of the teaching of this subject in law schools is not two decades old. Indeed, the schools as such can not lay claim to the credit of having recognized the need and acted on it promptly. The initiative came from without, and the idea that the subject is one for which a place should be made in the curriculum is not yet generally accepted. Of the 117 law schools in the United States, less than half have provided such instruction, and the science of teaching the subject is still in its infancy. Before pointing out in detail some of the unsolved questions involved in formal teaching of legal bibliography, it may, therefore, be helpful to review the history of its entrance into our schools. By this method something may be learned from the logic of events.

The Work of the Publishing Houses

Whether we attribute the action of the publishers to well-considered commercialism or to some higher motive, the credit of arousing interest in law books as a study must be given to them. They were the pioneers in a work, begun with enterprise and foresight, at considerable expense, and still carried on with intelligent persistence. Moreover, they have taught not only several thousands of students, but by example and precept a number of instructors. Two publishing houses, the West Publishing Company, and the Lawyers' Co-operative Publishing Company, are today employing representatives to visit law schools, and when permitted to deliver lectures on the use of law books. The former was the first in the field and has the longer record of service.

The active work of the West Publishing Company in this connection was entrusted to three men who jointly are responsible for initiating and developing the plans. They are Alfred F. Mason, C. Willard Smith, and Roger W. Cooley. The first step was the publication in October, 1902, of the first number of the American Law School Review, a periodical by means of which a direct appeal could be made to the law schools of the country. In the third and fourth numbers appeared articles on Instruction in Finding Cases and on The Use of Law Books. Then in the Winter of 1904 was announced a Case Finding Contest offering $200 in prizes to those students who submitted correct lists of citations showing where ten cases, of which the facts only were given, are to be found in the law reports. The names of the winners and the correct answers were printed in the Spring number, 1904. Other contests known as Brief-making Contests

were held in 1905 and 1906, a winning brief being published in the Spring number, 1907. It is significant that in the initial contest most of the prizes went to students of Northwestern University, that school being then almost alone in teaching the use of law books, whereas in the later contests the winners ranged all the way from Stanford to Columbia and from St. Paul to Pittsburgh. It was evident that law teachers and students were thinking about the advantages of systematic instruction in the use of books, and that the argument had been driven home that a brief can not be written until the authorities have been collected and digested. Advantage was taken of these facts by the publication in 1906 of the first edition of Brief-Making and the Use of Law Books, edited by Professor Nathan Abbott, then Dean of the Leland Stanford University Law School; and by visits to a number of law schools for the purpose of arranging for lectures to be given by a representative of the company. In preparation for the lectures, Mr. Cooley and Mr. Smith, field agents of the sales department, applied themselves to devising some easy means of finding cases, with the result that the "descriptive word" method was formulated. During the winter of 1906-1907, Mr. Cooley visited Wisconsin, Minnesota, Northwestern, Michigan, and Chicago Universities, and the Detroit Law School, lecturing and conferring with students and instructors. The experiment was so successful that Mr. Mason began an active campaign to interest practically all the law schools of the country, and in the fall and winter of 1907-1908, Mr. Cooley lectured at twenty law schools. From 1906-1911, the work grew until in 1911 when Mr. Cooley retired from the company to become Professor of Law at the University of North Dakota, he was regularly visiting thirty schools, devoting seven months of each year to the trips. In all he had lectured at thirty-seven different schools.

In the meantime, in 1909, a second edition of Brief-Making, edited by Mr. Cooley, had been published; and a new project had been started. This was the establishment early in 1910 of a Practitioners' Correspondence Course in Brief-Making for the benefit of young lawyers and law students not attending law schools. The basis of the course was the second edition of Brief-Making, but in the preparation of the lesson sheets and quizzes, the whole subject was gone over anew by Mr. Cooley. The cost of tuition was $10. Nearly 300 students enrolled, and actual work was begun; but as its successful continuance would involve a large expenditure of money, the course was soon abandoned. A desirable result of the attempt was, however, the publication of the third edition of Brief-Making, which was issued in 1914.

Mr. Cooley's successor as traveling lecturer was Mr. Raleigh A. Daly, of the Chicago bar, who has since 1911 widened the field of operation so that in the winter of 1915-1916, he visited seventy-one schools and lectured at fifty-six. During the academic year 1916-1917, his schedule called for visits to seventy-five schools, with lectures at sixty. Since 1913 the company has promoted the establishment of local courses as a part of the regular curriculum. At that time the number of men properly qualified to teach the subject was limited. The problem, therefore, was to recruit a group of men willing to apply themselves to a new subject not yet formally recognized by law schools. This end was sought by two means. In the summer of 1913 the company invited twelve law schools in the South to send representatives to its offices in St. Paul for the purpose of receiving special instruction in the use of its publications. The schools

which sent representatives were: Tulane University, the University of Texas, the University of Florida, John B. Stetson University of South Carolina, University of Oklahoma, University of Kentucky, University of Tennessee, Atlanta Law School, University of Mississippi, and the University of Denver. The conference resulted in the establishment of courses in most of these schools. The other means employed was the reverse of that just mentioned. A representative was sent to spend several months in the law schools of the Southern states to assist in qualifying local instructors for the work. This enterprise was entrusted to Mr. Charles L. Ames who introduced experimental courses, many of which became permanent.

The other large publishing house which is now arousing interest in the use of law books is the Lawyers' Co-operative Publishing Company. It has only recently entered this particular field, but now has a special representative, Mr. F. S. Schoonover, who devotes his energies to work with the law schools. During the last winter he has visited almost all schools east of the Rocky Mountains, lecturing in seventy of them.

The Work of the Schools

The number of law schools giving definite instruction in this subject by resident teachers is gradually increasing. During the last year information concerning the courses in twenty-nine schools has been compiled by a committee of the American Association of Law Libraries. In a few of these, lectures are still given by representatives of the publishing houses in addition to those provided by the schools. Aside from the mere fact that the schools are taking up the work, the most significant point noticeable is that methods have not been standardized, and that each school is solving its own problem on the basis of local expediency. The time when the courses are given, and the method, means, form and status of the instruction show no uniformity. Instruction under the auspices of the schools is intrinsically more useful than that given by publishing houses. The latter frankly admit that their primary object is to call attention to their own publications. Their lectures lack a scientific basis and are limited in scope. The permanent local instructor on the contrary has the opportunity of presenting his subject in an unprejudiced way, comparing and evaluating the publications of different houses. The courses can be longer, with opportunity for discussion and practise, and attention can be paid to the needs of the individual student.

Assuming, therefore, that eventually legal bibliography will be taught in a formal way in all recognized law schools, it may be worth while to state some of the questions which men now working independently might discuss for their mutual advantage. These questions roughly group themselves in two overlapping divisions, viz., Administration and Problems of Teaching.

Administrative Problems

The moment that the decision is made to elevate the subject into a formal part of the curriculum, the Dean of a law school is confronted with the problem of finding a place for it in the curriculum. In a three-year course, eight months to the year, with twenty-four required subjects, and ten others either given in

alternate years, or as electives, with moot courts clamoring for fuller recognition and new courses proposed, where can a place be found for so humble a subject as legal bibliography? And then, before this question can be answered come the definite queries, In what year shall it be given? Shall it be given in a continuous course or in two parts? Shall it be taught as a separate subject or in connection with another? How many hours shall be devoted to it? Shall it be required or elective, and in either case shall credit be given?

On all of these points the testimony of students and recent graduates should have some weight. In many schools where such a course is offered as an elective without credit, students voluntarily add it to their regular work, because the knowledge gained can be put to immediate use and has a definite marketable value in law offices where clerk-ships are sought. They express the opinion that the instruction should be given in any case, whether at the expense of more hours' work, or as a substitute for one or more of the special courses for which credit is now given. As to the year when the instruction should be offered, there is a difference of opinion, depending on the scope of the particular course with which they are familiar. All agree that certain phases of the subject ought to be presented in the first year, or as soon as the student is expected to get beyond the covers of his case-books. Others feel that there are two distinct portions of the subject, and that the more advanced part should be given in the second or third year, when it could be joined to instruction in brief making or court practise. In nineteen of the twenty-nine schools of which the writer has a record, the course is offered to first year men only, in four, to second year men only, in four to third year men, and in two to the whole school. Students seem to be quite indifferent to the question whether credit should be received, but in general agreement that the course should be required. This is on the ground that the new student may overlook a subject for which no credit is given and which has no prominent place in the schedule, thus omiting something which will be of use to him in his preparatory study and in his early practise. They say also that unless it is required, the tendency is to make no place for it in the schedule, thus causing conflicts and preventing many students from taking the course. They are willing to give as many hours to the course as the instructor will offer, and in schools where the work is optional some students take it a second time in order to tighten their grasp upon it. In our law schools, the practise varies so much as to the number of hours offered that little can be learned from the figures. The range is from three to thirty-six hours, the largest number offering fifteen hours. In twenty-one schools the course is required, and credit given.

These are a few of the problems that confront the administrator. Obviously they can not be solved in a particular school without reference to other questions. Fundamental among these are, What shall be taught, Who shall teach it, and What methods shall be used?

Problems of Teaching

There are at least three divisions of the subject which we have spoken of as legal bibliography. They are, first, legal bibliography proper, which deals with the repositories of the law; second, methods of finding this law, which is an art

to be acquired; and third, brief-making, which has to do with the orderly presentation of arguments based on authorities, and in conformity with the rules of the court to which they are addrest. Legal bibliography proper is not merely a description of books. It is also a study of the record of the jural life of a people. This record shows the evolution of law and the civilization back of it. Its very language, diction and style are products of contemporary literary taste; while the evolution of printing, binding, and bookmaking can be traced in the history of law books. Decisions never become obsolete merely from the passage of time. On the contrary many of them gather weight with age; and, therefore, the study of the history of law books is not merely fanciful or recondite. The modern lawyer can not rely on modern books alone. In fact, a knowledge of the history of the great classes of law books is necessary in order to select the authorities on which to rely. Legal bibliography proper should, therefore, be presented as a historical subject by means of which a background is given to the modern picture. In days when business methods are making it difficult for the law to maintain its position as a profession, no better means of instilling respect for the law into the minds of students can be found than by teaching the history, authority, and usefulness of its vast literature. For these reasons it seems advisable to teach this part of the subject in the first year of the law course.

The second part of the subject is the one which makes the most direct practical appeal to the student. As soon as a case or statute is cited to him in class, he finds himself face to face with an elaborate system of reference which is new to him. Only the exceptional student masters this unaided in time to be of service to him in his early researches. And even he acquires it in an unsystematic way, and without certain knowledge of the reference books which will help him in case of doubt. It is a mistake to speak of any of the processes of finding the law as mechanical processes, for one has not truly found **the law** until one understands it, and this requires a knowledge of substantive law which comes only with the passage of time and much experience. Nevertheless, there is a species of manual training in the use of law books and libraries which should be learned before or coincidently with the substance of law itself. This has been defined as the art of finding known cases and statutes, and includes the use of catalogs, the arrangement of libraries, the interpretation of citations, their translation from one form to another, the location of cases when only their titles are known, the tracing of the legislative and judicial history of statutes and the judicial history of cases. Every practical consideration demands that an opportunity to acquire such knowledge be given the student at the beginning of his course. He has less need of finding unknown cases and statutes until a later period. He has neither the occasion, the time, nor the technical equipment to find the whole law applicable to a state of facts until after the intensive study of the fundamental doctrines in many departments of the law. His introduction to the digest and subject-index may, therefore, better be deferred to the end of the first year, and the careful study of them to the second or third years.

Brief-making is the attempt to put into practise all of the knowledge of substantive law, of legal bibliography proper, of legal research and its mechanical processes, of analysis, of logic and finally of constructive argument which the lawyer possesses. The brief is the supreme result of the application of all

the legal faculties. Obviously such a subject can not be taught in its entirety as one topic. The instructor must assume such a previous knowledge as will enable the student to analyze his case, determine the principles which probably apply, search out the opposite statutory and case law and locate it in authoritative repositories. He can then take up the problem of the orderly and logical presentation of this material, giving form to the argument in accordance with legal rules, and with the support of authorities properly cited. Such a course necessarily cannot be given advantageously until the third year.

It would be possible for much of the material above mentioned to be taught in connection with other subjects, and in some schools the only instruction given is in courses designated as Elementary Law, Introduction to Law, Study of Cases, Practise Court Work, and the like. In other schools reliance is had on the initiative of professors to teach the bibliography of their own subjects, and incidentally to give the student both a respect for books and a practical knowledge of how to use them. This means that only a fragmentary exposition is made leaving the student largely to his own resources, with the usual result that he falls in the midst of many stools. Undoubtedly the course can best be given separately but with the cordial co-operation of the whole corps of teachers.

This leads to the question of the qualifications and status of the instructor. Should the course be given by the law librarian or partly by him and partly by another instructor? Evidently this subject has more direct connection with the work of the librarian than any other in the curriculum. Long before it was thought of as a formal subject, he was already teaching it to individual students, and if alive to his opportunities, he will always continue to do so. It is a subject requiring an intimate and extensive knowledge of legal literature, which is the special province of the librarian. Moreover, he must as a matter of course know his books not only in their contemporary development but in their historical origins. He must have this knowledge in order to be an efficient librarian. But he must also be trained in the law and have had some experience as a practitioner. Conversely, an established professor of law who essays to teach legal bibliography must have the training of a librarian. And in either case the man selected must have ability and willingness to teach by methods both arduous and monotonous. He must be able to draw inspiration from changing groups of students rather than from rapid development of this subject from year to year. As a matter of fact, it makes little difference in the formal part of the instruction whether the teacher be librarian or professor, so long as he be properly qualified. The subject, however, is the only one in the whole curriculum which can be taught by the librarian without drawing his interest away from the library. Moreover, he ought to become a better librarian from the necessity of systematic revision of his knowledge in preparation for the annual course of instruction. His library is the laboratory for the course, and his office or even the library itself the logical place for holding classes. He is more accessible to the student than the professor usually is and can, therefore, carry on individual instruction supplementing the regular course.

The solution of practically all of the questions which have always been raised depends on the methods which are used in teaching. These now vary with the aptitude, time, and predilections of the teacher. While the case method of teaching substantive law has been almost universally adopted, the

method of teaching legal bibliography has yet to be standardized. In some schools only lectures are given, in others lectures with demonstrations by the instructor. To the latter method are sometimes added problems to be solved and presented in written form. A fourth method is to give preliminary lectures to the whole class followed by practise work given to small sections of the class. Instructors who have tried several methods usually fall back on a combination of them all. Recurring to the three phases of the subject above outlined, it is evident that legal bibliography proper, the origin, history, and description of the repositories of the law, is susceptible of presentation in the form of lectures, with exhibition of notable examples of great books, outlines of legal literature, and required reading in works descriptive of law books. How to find the law, is a problem best solved by trying to do it. But this attempt must be under proper guidance. Each student needs personal attention, and this he can not get in large classes. A certain amount of exposition is required at each stage of development of the subject which can be given to large groups, but the actual driving home of points so that the student feels their force must be done in seminars of from twelve to fifteen students. Each student must be given individual problems and must be carefully checked up by the instructor. This method while most helpful to the student throws a large burden on the teacher. The preparation of the problems is tedious and taxing and actual class work for each problem is multiplied by the number of sections. For instance, in one school, in order to give each student one hour a week, it was necessary for the librarian to hold nine seminars a week. He became in fact, a hard working drillmaster, but was amply repaid by the results of his labor. All that has been said about methods of teaching how to find the law seems to the writer to apply with equal force to brief-making. The instructor needs to serve in the critical capacity of both opposing counsel and judge in order that the student may have a proper incentive to prepare a brief that will stand such tests as are applied in actual practise.

The purpose of this article has not been to state conclusions but to raise questions for discussion by men now teaching legal bibliography. If any categorical statements have been made they are merely expressions of personal conviction at the present stage of the writer's experience. The authoritative word on present problems of the teacher of legal bibliography has not yet been spoken, and it can spring only from the combined thought of men who have common interests and problems. Legal bibliography is not the most important subject to be treated in law schools, but it is one worthy of serious attention, and it presents pedagogical difficulties as well as those of substance. If overcome in a scientific way, the results may be of service to those who are attempting to teach the bibliography of other subjects than law.

THE VALUATION OF A LAW LIBRARY

By Andrew H. Mettee

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Strange as it may seem, we are now to dwell upon a proposition which has been lightly, and even jestingly, touched upon for a quarter of a century. After a spell of much boast, we have ragged ourselves during the last decade, with arithmetic progression, to become thoughtful and to attempt to approach efficiency in our endeavors to establish for the legal profession a tangible stable asset. The dawn is approaching and negligible quantities will be reckoned with. When we delve into the history of the law and perceive the haphazard commissions and omissions, it is shocking to view the mischief caused by the common complacency which has obsessed those uncomplainingly maintaining our system of jurisprudence. Slight thought has been given the library with the idea that it and the system of jurisprudence are one and the same: rather has the library been considered a storage place for reference books. Happily, however, we have had some wise men, whose broad minds have impelled their fellows to collect, organize and arrange the monuments of the law as a part and a parcel of the law, looking to uniformity and stability in legal procedure.

The disparaging words "musty, old books," "dusty books," "law is dry" and "reading law," have come to us from our forefathers, and have played no little part in lending aid and comfort to the chesty and misinformed brother of the law, and a sad solace to the laity. A law library is a public institution, whether the doors are thrown open to all comers or whether the books and rooms are restricted to use by an element in the community. The books in a law library are instruments for the promotion of justice between litigants and a safeguard to the peace of a commonwealth.

It is rank injustice to refuse to legislate or to fail to establish tribunals for the lapses of the law, whether the wrongs involve individuals, the State or the Nation, but how misplaced the odium of injustice when for some reason, a particular angle or phase of the law applicable to a cause cannot be found upon perusal of the books and we are reminded of "Old books! Dispose of them and save money in your purchases of equipment."

We should not be too hasty lest our error prove expensive. The system or systems of jurisprudence governing our courses of action among mankind are not simple. For instance, the Declaration of Rights (Maryland, Art. 5), declares, "That the inhabitants of Maryland are entitled to the Common Law of England, and the trial by jury, according to the course of that law, and to the benefit of such of the English statutes as existed on the Fourth day of July, seventeen hundred and seventy-six: and which, by experience, have been found applicable to their local and other circumstances, and have been introducd, used and practised by the Courts of Law or Equity: and also of all Acts of Assembly in force on the first day of June, eighteen hundred and sixty seven: except such as may have since expired, or may be inconsistent with the provisions of this Constitution: subject, nevertheless, to the revision of, and amendment or repeal by, the Legislature of this State." An interpretation of which Declaration reads

thus: (State v. Buchanan, 5 H. & J. 358.) "This article has no reference to adjudications in England anterior to the colonization or to the judicial adoptions here of any part of the common law during the continuance of the colonial government, but to the common law in mass as it existed here either potentially or practically and as it prevailed in England at the time, except such portions of it as are inconsistent with the spirit of the Constitution and the nature of our political institutions. Whether particular parts of the common law are applicable to our local circumstances, is a question for the courts to decide: how what the common law of England was at the time of the adoption of the declaration of rights is to be determined." And such is the pattern of the laws of the sundry states.

Then if we are so circumscribed, why not retain the old books for historical purposes—purposes full of possibilities for the practitioner and the scribe. At one moment a book may have depreciated in usefulness, because of the lack of demand for it, but in the twinkling of an eye it may be worth its weight in gold. With whom rests that proficient acumen, enabled at once to distinguish the wheat from the chaff? At best, we can only approach the subject. We must take a birdseye view of the methods availed of in the various business vocations, and note what component parts are utilized in arriving at valuations. The terms used are often as diversified as they are at times synonymous. Depreciation, Annual depreciation, Accrued depreciation, Absorption, Reproduction value, Fair value, Average value, Exchange value, Full value, Equivalent value, Present value and Waste are among the more important terms used by those attempting to construct a formula for the derivation of value. But with us the method to be employed is one mainly of elimination.

We start out with simple principles in our mode of collecting books and then apply the golden rule. First, buy according to the scope and object of the institution; and, Second, ask your insurer to cover no more than what was of necessity bought in carrying out the legitimate existence. By the qualification "of necessity," the significance to be given the width and breadth of the acquiring of books, the broader sense of interpretation is to be used in analogy to that employed in Roman jurisprudence. (See Pollock's Oxford Lectures, p. 234 on Ordering of a Law Library. London, 1890.) Confining ourselves to first principles, we either have a legitimate asset or a bona fide loss in dealing with the library proper—we either have good sharp tools or imitations. As to calculating the value of imitations by employing devious subtractions and dubbing them with insidious appellations until the book becomes the selling price of waste paper, we are charging against ourselves a lack of discretion and asking of the insurer the restoration of that which we wish not.

A book has, so to speak, a dual nature. It has a real, useful, full value when consulted in a given cause, and the degree of value of the reference should not be weighed by any mathematical method. And it has a present value or a reproduction value when a loss occurs. When a loss occurs, we are confronted with but one proposition, and that is, to maintain the value of the entire collection of books and to keep the interwoven fabric intact and useful; for this objective we have striven and the insurer is well apprised. To deal otherwise than frankly is only to touch upon the border line of deceit, making a skeptic of the insurance company and working harm to the library.

We are valuing law books solely and appraising them because they are desirable in that they serve the public and an equivalent value of the book in question should be fixed even should that fixed sum be less than the selling price of waste paper. In keeping businesslike records and by maintaining an unquestionable course of buying and appraisment we will be enabled to go into court with clean hands, and any reasonable insurance adjuster will readily make equitable terms of settlement with the library, whether there is a total or partial loss.

It is not so much a question of what the law ought to be as what the law is. If there is any doubt about the law then a uniform insurance law for libraries should be enacted since it affects the State and the individual. Should there be a total loss then the question is one of reproduction value involving the procuring of rare and out-of-print books. Should there be a shelf-list, deposited outside of the library, the matter becomes one of classification and addition, and the desired settlement can be made by agreement, wherein a cash deposit would be made for the rarer books after having consulted a fair market.

Should there be but a partial loss, we may not have the contentions encountered in a total loss, and again we may, the condition depending upon how and where the books are shelved, with exceptions occurring when individual books in sets are scarce. We should avoid speculation and endeavor to create an agreement looking to settlement. Arguments for recompense are never alluring, and accounts filled with items of charges for labor and trouble, overhead or at hand, are at most only approachable and seldom given ready sanction. Like accounts should be entered up against the office, if at all, wherein should be included books of accounts and the card catalogue. Now if a card catalogue can be insured for a specified sum of money, with a pro rata increase per annum why not list the books per item, or insure them according to the shelf-list, an inventory, at a specified valuation plus accessions as recorded in the book of accessions, and since insurance companies deal in the end according to averages, why not avoid speculations by reducing the ageement to writing in the beginning of the negotiations?

Rumor has it, that to insure a card catalogue on the quantum, means that a mishap to it results only in the recovery of a sum of money equal to the price of the retainer and the cost of the materials used.

This is an undue advantage taken, and an equivocation. A card catalogue in the eye of the public and to the mind of the guardians of the library is the shiboleth of books—a book of books—every page of which is rich with information, and barring memory, the most useful tool possessed.

But why complain, if you are willing to appraise books as waste paper, surely the other party will soon learn to imitate you, and will undervalue your most prized gem. He will average it with you, and the Court will fix it for you after listening to certainties. When the time shall have arrived the ominous question will be one of compound complexion, that is, what is the present reproduction valuation, or one of the agreed value, and not one of rate value or going concern value; see Vol. 1 Utilities Magazine No. 3, p. 19 citing Des Moines Gas Co. v. City of Des Moines, 238 U. S. 153, in taking the "Present value of physical property by estimating what it would cost to produce it at the present time new, and then adding overhead and deducting depreciation." But it is best to segregate the values of books and labor, and call "profit and loss" our loss.

Insurance, at common law, is a lottery and I shall not, at this time, dilate upon the subject beyond reminding you that fire insurance policies contain, for unexplained reasons, percentage clauses of recoveries for losses. The gamble is so arranged that a satisfactory legal explanation of the exact liquidation would be pleasing. It is submitted that a standard fire insurance policy without a percentage clause of recovery is much to be desired.

NOTES

The annual meeting of the American Association of Law Libraries to be held at Saratoga Springs, New York, will consist of an opening session Tuesday afternoon, July 2nd, a second session on the morning of July 3d, and a joint session with the National Association of State Libraries in the afternoon of the same day. On Tuesday afternoon, reports of committees will be heard and Mr. Frederick C. Hicks, Librarian of Columbia University Law Library will give a paper. On Wednesday morning, a paper by Mr. John T. Fitzpatrick, Librarian of the New York State Law Library will be followed by the business session of the Association.

At the joint session, Mr. Lawrence B. Evans, State Librarian of Massachusetts and Technical Adviser to the Committees of the Constitutional Convention of Massachusetts will give a paper.

Announcement of railroad rates and hotel arrangements will be made through the Bulletin of the American Library Association.

The "Law Review"

Following the announcement of the discovery of a copy of the "Law Review," published by members of the Albany, N. Y., bar, came the information that there are also copies in the Library of the Cincinnati Law Library Association and in the New York Law Institute Library. The latter contains a note stating "Issued to the Library of the New York Law Institute, the only subscriber." If there are other copies in existence, Mr. John T. Fitzpatrick, Law Librarian of the New York State Library, will be interested to learn of their location.

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CORRESPONDENCE

The following letter has been received from the secretary of the special committee for war service of the American Bar Association:

EDITOR, LAW LIBRARY JOURNAL,
Ann Arbor, Michigan.

DEAR MADAM:

The American Bar Association has appointed a Special Committee for War Service, whose function is to supply the right lawyers to any Department of the Government in need of men with legal training. This activity has the sanction and cordial approval of President Wilson and his Cabinet, who have suggested that it be carried on in cooperation with the U. S. Public Service Reserve of the Department of Labor.

The Special Committee consisting of John Lowell, Chairman, and Lawrence G. Brooks, Secretary, is now established in Washington at 1712 Eye Street, where it is engaged in making a survey of the several Government Departments and Bureaus to ascertain the kind of work at present being done by lawyers, the number of additional lawyers now needed, and the extent of the probable future demand for members of the legal profession. The Committee, on the other hand, is canvassing the situation through the many channels open to the American Bar Association, to discover what lawyers of ability are available for the Government.

The survey so far made shows that lawyers are wanted by the Government in a variety of capacities, both legal and executive, volunteer and compensated, to work in Washington and elsewhere,—that the Association, in short, has a splendid opportunity for National Service. The Special Committee is now preparing as rapidly as possible to perform this service, and expects soon to be in a position promptly and capably to answer the call of any Department for men with legal experience.

The Committee asks that all lawyers willing and able to serve the Government at this time send their names to the American Bar Association at 1712 Eye Street, Washington, D. C., with a brief statement of their training and qualifications and the conditions under which they are able to serve.

Very truly yours,

LAWRENCE G. BROOKS,
Secretary Special Committee for War Service.

The following circular from the United States Civil Service Commission is self-explanatory:

EDITOR, LAW LIBRARY JOURNAL,
Ann Arbor, Michigan.

DEAR MADAM:

The United States Government is in urgent need of thousands of typewriter operators and stenographers and typewriters. All who pass examinations for the departments and offices at Washington, D. C., are assured of certification for appointment. It is the manifest duty of citizens with this special knowledge to use it at this time where it will be of most value to the Government. Women especially are urged to undertake this office work. Those who have not the required training are encouraged to undergo instruction at once.

Examinations for the Departmental Service, for both men and women, are held every Tuesday, in 450 of the principal cities of the United States, and applications may be filed with the Commission at Washington, D. C., at any time.

The entrance salary ranges from $1,000 to $1,200 a year. Advancement of capable employees to higher salaries is reasonably rapid.

Applicants must have reached their eighteenth birthday on the day of the examination.

For full information in regard to the scope and character of the examination and for application blanks address the U. S. Civil Service Commission, Washington, D. C., or the Secretary of the U. S. Civil Service Board of Examiners at Boston, Mass.; New York, N. Y.; Philadelphia, Pa.; Atlanta, Ga.; Cincinnati, Ohio; Chicago, Ill.; St. Paul, Minn.; St. Louis, Mo.; New Orleans, La.; Seattle, Wash.; San Francisco, Cal.; Honolulu, Hawaii; or San Juan, Porto Rico.

JOHN A. MCILHENNY,
President, U. S. Civil Service Commission,
Washington, D. C.

NOTES ON LEGAL BIBLIOGRAPHY

"The most useful knowledge concerning the law is to know where to find it."

(Law librarians and others are requested to send notes appropriate for this page to Frederick C. Hicks, Law Librarian, Columbia University, New York City.)

The purpose of this department of the Law Library Journal is to record bibliographical information which will aid in finding and using the books that contain the law.*

HOW AND WHERE TO FIND THE LAW

Foster, George N.
Exhaustive legal search illustrated. St. Paul, West Publishing Co., 1917.
8°. 72 p.
Twelve rules, with illustrative diagrams, for the use of the American Digest System.

Darby, Henry Jackson
Criticism of law schools defended.
(*In* Illinois law review. v. 12, p. 495-501, February, 1918.)

Teevan, John C.
Criticism of law schools criticised. Views of a recent graduate.
(*In* Illinois Law Review, v. 12, p. 552-554, March, 1918.)
A further criticism of Mr. Darby's article. Author contends that it is impossible to teach students how to find the law because of lack of time, because of lack of library facilities, and because the student cannot find the law until he has learned what the law is.

LEGAL BIBLIOGRAPHY

Master's essays, 1891-1917. New York, Columbia University, [1917.]
8°. 347 p.
A list of essays submitted at Columbia University for the degrees of Master of Arts, Master of Science, and Master of Laws from 1891 to 1917, arranged alphabetically under author and indexed by subject. The essays are preserved in manuscript only. Legal items are brought out in the index under the subjects law, international law, Roman law, labor law, etc.

Law Library Catalogues

Baltimore. Library Company of the Baltimore Bar.
Subject index of books in the library of The Library Company of the Baltimore Bar (1840) Court House, Baltimore, Md., by Andres Hartman Mettee, Librarian. Baltimore, 1916.
8°. 423 p.

Delaware State Library.
Catalogue of the law books contained in the Delaware State Library, State House, Dover, Delaware. Thomas W. Wilson, Librarian. Milford, Del., Milford Chronicle Publishing Co., [1914.]
8°. 318,4 p.
Published by authority of 26 Del. L. ch. 5.

Maine. State library, Augusta.
Catalogue of the law books. . . Waterville. Waterville sentinel publishing company, 1916.
8°. 70 p.

West Virginia. State Law Library.
Catalogue of the West Virginia state law library. Wm. W. Sanders, state librarian. Charleston, W. Va., Tribune Printing Co., 1914.
8°. 389 p.

York County, Me. Law Library
Library of the York County law library association, 1880. Saco, Me., C. P. Pike, 1880.
8°. ii, 15 p.

Periodicals

Baldwin, Simeon E.
The United States Law Journal of 1822.
(*In* American Bar Association Journal. v. 4, p. 37-53, Jan. 1918.)
"The first legal periodical ever published in New England, and the only legal periodical in the world then published in the English language," viz. United States Law Journal and Civilian's Magazine. New Haven, Gray & Hewitt. Quarterly. July, 1822-March, 1823

Report of the special committee on publication.
(*In* West Virginia bar association, Proceedings, v. 33 (1917), p. 146-155.)
A recommendation concerning "The Bar," and a plan for a quarterly review to be substituted for it, i.e., West Virginia Law Quarterly, the first number of which was published in November, 1917. The report contains a discussion of important American legal periodicals.

LEGAL TERMINOLOGY

Foreign Legal Terms

Glossary—Portuguese
(*In* Borchard, Edwin M. Guide to the law and legal literature of Argentina, Brazil and Chile. Washington, Gov't. Print. Off. 1917. p. 472-478.)

*Supplementing Aids to the Study and Use of Law Books. New York, Baker, Voorhis & Co., 1913.

Glossary—Spanish
(*In* Borchard, Edwin M. Guide to the law and legal literature of Argentina, Brazil and Chile. Washington, Gov't. Print. Off. 1917. p. 447-471.)

Technical Terms

Glossary of mining terms, mainly in use in British Columbia. Revised by . . . Wm. Fleet Robertson.
(*In* Martin, A. Reports of mining Cases. Toronto, Carswell co., 1903. v. 1, p. 858-874.)

CASE LAW

Law reporting in the United States.
(*In* Virginia Law Register, v. 1, p. 418-426, Oct. 1895.)
Report of Committee of the American Bar Association read by J. Newton Fiero, August, 1885.

Symposium on writing and reporting opinions.
(*In* Case and Comment, v. 24, p. 788-800, March, 1918.)
Letters from Federal judges.

Williams, Samuel C.
The multiplication of law reports.
(*In* Virginia Law Review, v. 5, p. 316-328, Feb. 1918.)
Author is justice of the Supreme Court of Tennessee.
Discusses, in order, the points made in the memorial drawn up by the Committee on Law Reports, American Bar Association, 1917.

Virginia

Barton, R. T.
[Reports of Sir John Randolph and Edward Barradall]. Chapter I. The Book . . . Chapter X, The Reporters and their Reports.
(*In* Virginia Colonial decisions. Boston, Boston Book Co., 1909, v. 1, p. 1-22, 226-250.)

Burks, Martin P.
[Virginia reports and reporters.]
(*In* Virginia Reports, v. 91, p. xvii-xxi.)
Covers the years 1843-1896. The method of renumbering the Virginia reports is explained.

Robinson, Conway
[Virginia reports and reporters.]
(*In* Virginia Reports, v. 40, p. iii-x.)
Covers the years 1730-1843.

British

The Year Books
(*In* Jeudwine, J. W. The manufacture of historical material. London, Williams and Norgate, 1916, p. 95-132.)
Discusses the Year Books as historical documents, and illustrates their content under the headings Litigation over Technical Forms, Clergy as Litigants, Women as Litigants, The Actors in the Year Books. The method of reporting, and modern reprints are also described.

ENACTED LAW

McClenon, Walter H.
The indexing of legislation.
(*In* Yale Law Journal, v. 27, p. 448-452, February, 1918.)

Popular names of statutes.
(*In* Scott, G. W. and Beaman, M. G. Index analysis of the federal statutes. Washington, Government Printing office, 1908-1911. v. 1, p. 1367-1373; v. 2, p. 1135-1146.)

Illinois

Catalogue of volumes of territorial laws showing their title pages.
(*In* Annotated statutes of the state of Illinois . . . 1913. Chicago, Callaghan & co., 1913, v. 1, p. xxiii-xxv.)
Twenty-three volumes including the session held at Kaskaskia, 1817-18.

New Jersey

Outline history of the compilations and revisions of the statutes of the colony and state of New Jersey, 1717-1896.
(*In* Compiled statutes of New Jersey. Newark, Soney & Sage, 1911. v. 1, p. xiii-xvi.)
"An initial attempt in the gathering of certain historical data. In its preparation, an exhaustive search was made through the unindexed 'Votes' of the colonial Assemblies—often, for further certainty, in the manuscript records—to the end that legislative action authorizing each volume might be ascertained. . . . The immense field of research, opened by a preliminary résumé, leaves much entertaining labor to be performed by subsequent investigation".

Vermont

[**Brief** historical review of revisions and compilations.]
(*In* Public statutes of Vermont, 1906, p. iii-viii.)
Covers period 1778-1906.

CITATION BOOKS

(Statutes)

United States

Statutes, constitutions, proclamations, and treaties construed.
(*In* Digest of the United States Supreme Court Reports. Rochester, Lawyers Cooperative Publishing Co., 1908. v. 6, p. 6667-7026.)
Continued in Decennial Supplement, 1908-1917, p. 1203-1310.
Arranged in five groups (1) Foreign countries, (2) Indians, (3) U.S. Federal government, (4) Confederate States, (5) States and territories.

Table of repeals and amendments to the Revised Statutes.
(*In* Scott, G. W. and Beaman, M. G. Index analysis of the federal statutes. Washington, Government Printing office, 1908, v. 1, p. 1311-1330.)

Table of repeals and amendments to the Statutes at Large.
(*In* Scott, G. W. and Beaman, M. G. Index analysis of the federal statutes. Washington, Government Printing office, 1908-1911. v. 1, p. 1331-1366; v. 2, p. 1079-1133.)

Georgia

Downing, Hugh Urquhart.
Consolidation of Downing's Annotations to the Georgia Codes of 1895 and 1910, embracing references to the Public Laws of 1910 to 1913, inclusive, and volumes 96 to 140, inclusive, of Georgia Reports, and volumes 1 to 12, inclusive, of Georgia Court of Appeals Reports, and some subsequent Georgia cases in the South Eastern Reporter. 1914.
Supplements are printed on gummed sheets to be pasted on the margins of the bound volume.

Indiana

Watson, B. F.
Notes to Statutes of Indiana. A continuous Supplement to the statutes of Indiana (Published on the cumulative plan with bound volume at end of each year). Embracing comprehensive notes of all current decisions of the Indiana Supreme and Appellate Courts, which in any way apply or construe any given section of the statutes of Indiana, or discuss a subject upon which there is a statutory provision; together with references to cases from courts of other states construing similar statutes and to the notes and articles in the current volumes of all systems of selected cases. Crawfordsville, Ind., [1914]
8°. 300 p.
Arranged numerically under the section numbers of Burns' Indiana Statutes, 1914.

New York

Decisions citing, construing and involving sections of the Code of Civil Procedure, Code of Criminal Procedure, Penal Law and Consolidated Statutes; with analysis or statement of the point involved.
(*In* Kreidler, Charles R. Analyzed New York decisions and citations. Rochester, Williamson Law Book Co. 1917. Supplement, October, 1917, p. 361-398)
This new feature was introduced in the supplement for October, 1917, and is to be continued.

Table of changes effected in the Greater New York Charter (L. 1897, ch. 378, as revised by L. 1901, ch. 466), showing sections amended, repealed and added by the legislature subsequent to 1901 to and including the year 1917.
(*In* Ash, Mark. Greater New York Charter. 4th ed. New York, Baker, Voorhis & co., 1918. p. xiii-xxiv.)

Table of all the sections of the New York City Consolidation Act (L. 1882, ch. 410), showing which have been revised in the Greater New York Charter, which repealed or superseded, and which still in force or unaffected.
(*In* Ash, Mark. Greater New York Charter. 4th ed. New York, Baker, Voorhis & co., 1918. p. xxxvii-lxv.)

Pennsylvania

Table of statutes amended, re-enacted, repealed and saved from repeal by the laws of 1905-1911.
(*In* Purdon's Digest of the statute law of the state of Pennsylvania. Philadelphia. George T. Bisel co., 1912. p. 983-1010.)
The statutes affected date from 1770 to 1911.

South Carolina

A list of public statutes repealed since the adoption of the General Statutes of 1882.
(*In* Code of Laws of South Carolina, 1912. Charlottesville, Va., Michie Company, 1912. v. 1, p. 1179-1205.)

Tennessee

Farrell, Norman and **Laurent, J. S.**
An annotated index to the Public and General Statutes of Tennessee from 1897 to 1911 inclusive. Containing citations to the reported decisions of the Tennessee and Federal courts relating to said acts. Also a supplement, wherein is contained the citations to the reported decisions of the same courts upon the private acts enacted during this period. Nashville, Marshall & Bruce co., 1912.
8°. 102 p.
The index is arranged by subjects, followed by refernces to statutes and decisions.

Wisconsin

Nash, Lyman J. and Belitz, Arthur F.
Wisconsin annotations, 1914, embracing all annotations of the constitution and statutes of Wisconsin contained in the statutes of 1898 and in Sanborn and Sanborn's supplement of 1906, together with continuations thereof down to the present time . . . Madison, The State, 1914.
8°. 1956 p.
Continued in Wisconsin Statutes, 1915, p. 2312-2349.
"Wisconsin Annotations contains: The text of the federal constitution carefully analyzed and extensively annotated; the text of the constitution of Wisconsin with all of its amendments and with annotations appended to each section of all interpreting decisions of the Supreme Court of Wisconsin, from the beginning of statehood down to and through volume 155, Wisconsin Reports, and of the federal courts, down to the end of July, 1914; like annotations of all state and federal decisions construing sections of the statutes; the text of all court rules with appended annotations of all construing decisions, and accompanied by an historical sketch of their origin and growth; a table of all special, private or local laws, territorial and state, down to and including the laws of 1913; a list of all congressional acts affecting the territory or state of Wisconsin down to the end of July, 1913; and a history of common and statute law in the Northwest Territory, together with a number of historical documents."

AMERICAN STATE REPORTS AND SESSION LAWS EXCLUSIVE OF SIDE REPORTS

Revised to May 1, 1918

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Alabama			
Reports	. . .	Secretary of State	196
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Alaska			
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Arizona			
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Iowa			
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New Jersey			
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